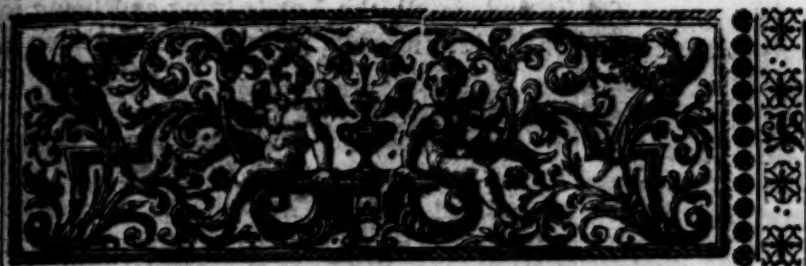


K Great Brit. George III

No 40


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C. 40

An A C T for Dividing and In-
closing the Open and Common
Fields in the Manor of *Shenley*
Brookend, in the Parish of *Shen-*
ley, in the County of *Bucks*.

 **H**ereas there are several open and common Fields in Preamble.
the Manor of *Shenley Brookend*, in the Parish of *Shenley*,
in the County of *Bucks*, called or known by the Names
of the *Netber Field*, *Middle Field*, and *Upper Field*, and
also a Parcel of Common called or known by the Name
of *East Green*, in the said Parish of *Shenley*, in the County of *Bucks*,
containing by Estimation Nine hundred and Sixty Acres :

And whereas *Matthew Knapp*, Esquire, is Lord of the said
Manor, and Patron of the Rectory of *Shenley* aforesaid ; and the
Reverend *Primatt Knapp* is Rector of the said Parish, and intituled
to all Tythes of Corn, Grain, Hay, and Wool, within the said
Fields and Grounds :

And whereas the said *Matthew Knapp*, *Thomas James Selby*,
Esquire, the said *Primatt Knapp*, the Reverend *Robert Watson*,
A *Charles*

Charles Peers, Esquire, Robert Emerson, William Emerton, John Underwood, and Reuben Capes, Gentlemen, together with other Persons, are seised of and in all the Lands lying and being in the said open and common Fields aforesaid, and the said Common called East Green aforesaid :

And whereas there are, adjoining and contiguous to the said open and common Fields hereby intended to be inclosed, sundry Pieces and Parcels of inclosed Pasture Ground, the respective Properties of the said *Matthew Knapp, Charles Peers, the Reverend Robert Watson, Robert Emerson, Mary Evans, John Underwood, Reuben Capes, and Ralph Ingram;* and the said several Pieces or Parcels of inclosed Pasture Ground are intended to be hereby discharged of and from all Manner of Tythes arising out of the same, and all Sums of Money whatsoever, payable in lieu of the same :

And whereas the said several Persons before-named, and others, the Owners and Proprietors of Lands lying in the said open and common Fields, and Common, are desirous that the same may be divided and inclosed ; and that specific Parts and Shares thereof may be assigned to each Proprietor, according to their respective Proportions and Interests therein, in such Manner, and subject to such Restrictions, Provisions, and Directions, as are herein after enacted, provided, and declared, concerning the same :

But although such Division and Inclosure will tend greatly to the Advantage of the Owners and Proprietors of the Lands and Ground aforesaid, and be an Improvement of their several and respective Properties therein ; **Yet** the same cannot be effectually established without the Aid of Parliament ;

May it therefore please Your MAJESTY,

Commission-
ers.

That it may be **Enacted; And be it Enacted**, by the KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same. That *Thomas Cock of Water Eaton, in the County of Bucks, William Cripps of Newport Pagnell, in the said County, Thomas Hooton of Moulsoe, in the same County, Daniel Edmunds of Woolston, in the same County, and Thomas Taylor of Swanburne, in the same County, Gentlemen, and their Successors,* shall be, and they are hereby appointed Commissioners for setting out, dividing, allotting, and inclosing, the said several open and common Fields in the said Manor of *Shenley Brook-end*, called or known by the Names of the *Nether Field, Middle Field, and Upper Field,* and the said Common called *East Green*, and for putting this Act in Execution.

Am

And, for the more just and regular Division and Distribution of Survey to be the Lands and Grounds so to be divided and inclosed as aforesaid, ^{made.} and for the better ascertaining the same, **Be it further Enacted,** That a Survey and Admeasurement shall be made of the said open and common Fields, Common, and inclosed Pasture Ground, some time before the First Day of *October* One thousand Seven hundred and Sixty-two, or as soon after as conveniently may be, by such Person or Persons as shall be nominated and appointed for that Purpose by the said Commissioners, or any Three or more of them; and such Survey and Admeasurement shall be reduced into Writing, and the Number of Acres, Roods, and Perches, belonging to each Proprietor, shall be therein set forth, ascertained, and declared; and the said Survey shall be laid before the said Commissioners, or any Three or more of them, at some or One of their Meetings to be held in pursuance of this Act.

And be it further Enacted, That the said Commissioners, or any Three or more of them, shall and may assign, allot, and appoint, ^{Allotment to the Rector.} unto or for the said *Primatt Knapp* and his Successors, Rectors of the said Rectory, such Parcel or Parcels of Land or Ground in One or more Plot or Plots, being Parcel or Parcels of the said open and common Fields so intended to be inclosed, not exceeding a Seventh Part of the said open and common Fields and common Grounds so intended to be divided and inclosed, in Lieu of, and as an Equivalent or Compensation for, all Tythes of Corn, Grain, Hay, and Wool, and all other Tythes whatsoever, Great and Small, and all Moduses whatsoever, due and payable to him as aforesaid in, over, and upon the said open and common Fields; and shall and may rate, value, and estimate the Tythe and other Sum of Money due and payable for the said inclosed Pasture Ground, at the Rate or Sum of Two Shillings for every Acre of the said inclosed Pasture Ground; and shall and may further assign, allot, and appoint, unto or for the said *Primatt Knapp*, and his Successors, Rectors as aforesaid, such Parcel or Parcels of the said open and common Fields and inclosed Pasture Ground so intended to be inclosed and allotted, as shall be of equal annual Value with the said Tythe arising from the said inclosed Pieces or Parcels of Pasture Ground, and of the Sums of Money due and payable in lieu of the same, to be rated and estimated at Two Shillings for every Acre, in manner herein before directed, as an Equivalent and Compensation for all and all manner of Tythes whatsoever, great and small, and all Moduses whatsoever, due and payable to him or them as aforesaid, in, over, and upon the said Pieces of inclosed Pasture Ground.

And be it further Enacted, That the said several Parts of and in the said open and common Fields, so to be allotted to the said *Primatt Knapp* ^{In lieu of Tythes,}

X
except Sur-
plices Fees.

Knapp and his Successors, Rectors of the said Rectory, are so limited to and vested in him and them, in Lieu and as an Equivalent and Compensation for a certain antient Modus of Two Pence a Cow depastured on the said inclosed Pasture Lands, and in Lieu and as an Equivalent and Compensation for all and all manner of Tythes, Great and Small, coming, growing, arising, or renewing or belonging to, or that can or may, or could or might, be claimed by the said *Primatt Knapp* or his Successors, Rectors as aforesaid, respectively, in, over, upon, or out of all or any of the Lands, Tenements, Hereditaments, Grounds, Fields, Closes, and Common, hereby intended and directed to be divided, inclosed, and allotted, or any Part thereof respectively as aforesaid (save and except Oblations, Mortuaries, and *Easter Offerings*, Marriage, Churching, and Burial Fees, and all other Surplice Fees): And that, from and after the said Commissioners shall have completed and finished the Partitions and Allotments of the said open and common Fields and Common hereby directed to be made as aforesaid, the said several antient Moduses or annual Payments of Two Pence a Cow for every Cow depastured in the inclosed Grounds, Parcel of the said common Fields, and all and all manner of Great and Small Tythes, arising, renewing, or becoming due and payable to the Rector of the Rectory and Parish Church of *Shenley* aforesaid, for the Time being, out of or in respect of the said open and common Fields and Lands so intended to be divided and inclosed, and the said inclosed Grounds, Parcel of the said Fields, shall cease and be for ever extinguished; and all and every the Proprietors, Owners, and Occupiers, of the said open and common Fields and Common and inclosed Pasture Ground, within the said Manor of *Shenley Brookend*, hereby directed to be divided and inclosed as aforesaid, and their respective Heirs, Successors, Executors, and Administrators, shall, from henceforth for ever, hold and enjoy their said several and respective Lands and Grounds, Tenements and Hereditaments, discharged and free from the said antient Modus, and from all Great and Small Tythes whatsoever (except as aforesaid) that shall from and after the making of such Award as herein after mentioned arise and become due and payable thereout to the said Rector or his Successors.

Allotments
to the Pro-
prietors.

And be it further Enacted, That the said Commissioners, or any Three or more of them, shall and they are hereby authorized and required, at any time or times after the said Survey shall have been made and laid before them as aforesaid, and on or before the First Day of *May* One thousand Seven hundred and Sixty-three, to divide, set out, ascertain, and allot, the Residue of the said open and common Fields and Common aforesaid, by Stakes, Metes, or Landmarks, unto and amongst the said several Owners and Proprietors thereof, in Proportion to their several and respective Shares and Interest and Right of Common, and other Properties in

and over the said open and common Fields and Common, or any Part or Parts thereof; subject to the Restrictions, Provisions, and Directions, herein after contained.

Provided nevertheless, and it is hereby Enacted and Declared, That nothing herein contained shall extend, or be construed to extend, to empower the said Commissioners, or any of them, to give any undue Preference to any of the Parties interested in the said intended Division and Inclosure in respect to their Shares or Allotments; but that the said Commissioners, in making such Allotments, shall have due Regard to the Quality, Situation, and Convenience, as well as Quantity, of the Lands and Grounds now belonging to each Proprietor and Person interested, and the Right of Common in the said Common called *East Green*, and other Property of every such Proprietor and Person, and the Quality, Situation, and Convenience, as well as Quantity, of the Lands and Grounds so to be assigned and allotted in lieu thereof in pursuance of this Act, and also to the Proportion of the Parties interested in the said open and common Fields, in respect to such Part thereof so to be assigned and allotted to the said Rector and his Successors as aforesaid, in lieu and Satisfaction of the Tythes and Modus of the said Pieces of inclosed Pasture Ground, according to their respective Rights and Interests in the said inclosed Pasture Ground, and to allot the Share of each Party in One intire Plot or Parcel, and as near to some other of the Lands and Tenements belonging to each Person respectively as can be conveniently done.

Commissioners to give no undue Preference.

And be it further Enacted, That the said Commissioners, or any Three or more of them, shall and may and they are hereby authorized and required to ascertain, set out, and appoint, both publick and private Roads or Ways through the new Inclosures and Allotments, so to be made as aforesaid, with the Assizes and Breadths thereof, so as all such publick Roads and Ways shall be and remain Forty Feet broad at the least between the Ditches (except Bridle Roads and Foot Ways, in case any such shall be set out by the said Commissioners); and which said publick Roads shall at all times for ever thereafter be repaired, and kept in Repair, by and at the Expence of all the Inhabitants of and within the Parish of *Shenley Brookend* aforesaid, in the same Manner as the other Roads and Ways within the said Parish were repaired, and kept in Repair, before the passing of this Act, and according to the antient Custom and Usage in the same Parish; and that it shall not be lawful for any Person or Persons, after the making such new Roads or Ways, to use any Roads, either publick or private, over the said new Inclosure, on Foot, or with Horses, Cattle, or Carriages, other than such Roads or Ways as shall be ascertained, set out, and appointed as aforesaid.

Commissioners to set out Roads.

B

And

And be it further Enacted, That it shall and may be lawful to and for the said Commissioners, or any Three or more of them, and they are hereby authorized and impowered (if they think it necessary and proper) to allot and appoint any Parcel or Parcels of Land, Part of the said common and open Fields or Grounds hereby intended to be inclosed (not exceeding in the Whole the Quantity of Three Acres) as and for publick Gravel-pits; and which shall be fenced in, as the said Commissioners shall direct, and used and enjoyed in common by all and every the said Proprietors and their Tenants for their own necessary Uses, as well as for the Repairs of the Roads within the Parish of *Shenley Brookend* aforesaid.

Trees, &c. to
belong to former Proprietors.

And be it further Enacted, That in case any Lands or Grounds upon which any Trees, Underwoods, Thorns, Hedges, Bushes, or Shrubs, shall, at the Time of such Allotment, be standing, growing, or being, shall be allotted and assigned to any Person or Persons, other than such as was or were the Proprietor or Proprietors thereof at and immediately before such Allotment, then, and in such Case, it shall and may be lawful to and for the Owners and Proprietors thereof, respectively, at any seasonable Time or Times, within the Space of Nine Calendar Months after such Allotment shall be made, to enter into the Lands and Grounds upon which such Trees, Underwoods, Thorns, Hedges, Bushes, and Shrubs, shall be standing and being, and to fell, cut down, and carry away the same, at his and their Wills, and to and for his and their own Use and Benefit.

Fences for
Boundaries to
be left.

Provided nevertheless, That if any such Hedges, now standing upon the Premises, shall be assigned or appointed by the said Commissioners as or for a Boundary or Fence for any of the new Inclosures so intended to be made as aforesaid, all such Hedges shall be left for the Benefit of such Person or Persons to whom such new Inclosures shall belong by virtue of this Act; he, she, and they, making such Allowance or Consideration to the former Owners and Proprietors of such Hedges respectively, as the said Commissioners, or any Three or more of them, shall, by Writing under their Hands and Seals, in that Behalf, order and appoint.

Commissioners to make
an Award.

And, for preventing Differences and Disputes relating to the said Division and Inclosure, **Be it further Enacted,** That as soon as conveniently may be, after the said Commissioners shall have completed and finished the Partitions and Allotments of the said open and common Fields and Common called *East Green*, pursuant to the Directions of this Act, that they, or any Three or more of them, shall form and draw up an Award or Instrument thereof in Writing, which shall express the Quantity, in Statute-measure, of the Acres, Roods

Roods, and Perches, contained in the said open and common Fields and Common, so intended to be inclosed as aforesaid, and the Quantity of each and every Part and Parcel thereof, assigned and allotted to each of the Parties intitled to and interested in the same, and a Description of the Situation, Buttals, and Boundaries of the same Parcels and Allotments respectively, and proper Orders and Directions for hedging, ditching, and fencing the same, and for keeping and maintaining such Hedges, Ditches, and Fences in Repair, and for making and laying out such private Roads, Passages, and Water-courses in and through such Allotments, and for repairing and maintaining the same; and shall also express such other Orders, Regulations, and Determinations, as shall be proper and necessary to be inserted therein, conformable to the Tenor and Purport of this Act; which said Award or Instrument shall be fairly ingrossed upon Parchment, and signed and sealed by the said Commissioners, or any Three or more of them, and shall, within Six Calendar Months next after the same shall be so signed and sealed, be inrolled by the Clerk of the Peace of the said County of *Bucks*, to the end Recourse may be had to the same by any Person or Persons interested in the said Inclosure; and a true Copy thereof, or any Part thereof, shall from time to time be admitted and allowed, in all Courts whatsoever, as legal Evidence of the same; and which Copy the Clerk of the Peace for the Time being for the said County is hereby required to make and deliver to any Person or Persons requesting the same, he, she, or they paying for such Copy after the Rate of Two Pence for every Ninety Words; and the several Allotments, Partitions, Divisions, Restrictions, Orders, Directions, Regulations, and Determinations, so made and expressed by the said Commissioners, or any Three or more of them, in and by such Award or Instrument, so executed and inrolled as aforesaid, shall be, and are hereby declared to be, binding and conclusive unto and upon all and every the several and respective Parties interested in and intitled unto the several and respective Grounds, Lands, and Premises, so intended to be inclosed as aforesaid.

And be it further Enacted, That when the said Fields and Grounds shall be set out, ascertained, and allotted by the said Commissioners, or any Three or more of them, by such Award or Instrument as is herein before-mentioned, the Parcels of Lands and Grounds, so to be allotted and set out respectively, shall, within Twelve Calendar Months after the Execution of the said Award or Instrument, be inclosed, hedged, ditched, and fenced; and such Hedges, Ditches, and Fences, at all Times thereafter, repaired and maintained at the proper Costs and Charges of the respective Persons to whom such Parcels shall be respectively assigned and allotted, or thereafter belong, and in such Manner as the said Commissioners, or any

Allotments
to be inclosed
within a li-
mited Time.

any Three or more of them, shall in such Award or Instrument order and direct.

Convenient
Gaps to be
left in the In-
closures.

And be it further Enacted, That convenient Gaps and Openings shall be left in the said Fences and Inclosures, for the Space of Six Calendar Months next ensuing the Execution of the said Award or Instrument, for the Passage of Cattle, Carts, and Carriages, in, by, and through the same, unless the several Parties interested therein shall agree that the same shall be sooner fenced in, made up, and inclosed.

Allotments to
be taken in
lieu of former
Lands.

And be it further Enacted, That the several Lands and Grounds, to be divided, assigned, set out, allotted, and appointed unto or for the several Proprietors, who by virtue of this Act shall be intitled to the same, shall be in full Bar and in Satisfaction and Compensation for his, her, and their several Pieces or Parcels of Ground which they had before the passing of this Act, or immediately before the Execution of the said Award or Instrument, in the said open and common Fields of *Shenley Brookend*, within the Parish of *Shenley* aforesaid; and also in full Bar of, and in Satisfaction and Compensation for, all Right of Common and Feeding whatsoever, in, over, and upon the said Fields and Grounds respectively; and that from and immediately after the Execution of the said Award or Instrument, all the Interest and Property which the said Proprietors had in the said Fields and Grounds, before the passing of this Act, or immediately before the Execution of the said Award or Instrument, and also all Right of Common belonging to or claimed by all and every the Owners, Proprietors, or Occupiers of Lands, Tenements, or Hereditaments, within the said Parish of *Shenley*, in, over, and upon all or any of the said Fields and Grounds, and every Part thereof, shall cease, determine, and be for ever extinguished.

Nothing in
this Act to
make void
any Will or
Settlement.

Provided always, That nothing in this Act contained shall revoke, make void, alter, or annul, any Settlement, Deed, Will, or Release whatsoever, or to prejudice any Person or Persons having any Right or Claim of Dower, Jointure, Portion, Debt, Rent, or Incumbrance, or other Demand, out of, upon, or affecting, any of the Lands or Grounds so intended to be inclosed and divided as aforesaid, or any Part or Parcel thereof; but that the Lands and Grounds so to be divided and allotted, upon the said Division, to the several Proprietors respectively, shall, immediately after the Execution of the said Award or Instrument, be, remain, and enure, and be held and enjoyed: And the several Proprietors thereof, to whom the same shall be assigned and allotted, shall, from thenceforth, stand and be seised and possessed thereof respectively, subject and liable

liable to the same Uses, and for such and the same Estates and Interests, and subject to such and the same Wills, Leases, Powers, Provisoes, Limitations, Remainders, Trusts, Charges, Rents, Incumbrances, and Demands, as he, she, or they respectively should and would have stood seised of and in his, her, and their several Lands and Grounds lying in the said Fields and Grounds hereby intended to be inclosed as aforesaid, in case this Act had not been made; any thing herein contained to the contrary in any-wise notwithstanding.

And be it further Enacted, That the said Commissioners, or any Three or more of them, shall and they are hereby required to give, or cause publick Notice to be given in the Parish Church of *Sbenley* aforesaid, upon some *Sunday* Morning immediately after Divine Service, of the Time and Place of their First and every other Meeting, for the Execution of the Powers hereby vested in them, at least Six Days before every such Meeting (Meetings by Adjournment only excepted).

Commissioners to give Notice of their Meetings:

And be it further Enacted, That when and so often as One or more of the Commissioners appointed by this Act, or who shall have been elected in the manner herein after-mentioned, shall die or refuse to act, the Persons who for the Time being shall be respectively seised of any Lands in the said open and common Fields so intended to be inclosed as aforesaid, or the major Part of them in Number and Value, shall, from time to time, within One Month next after the Death or Refusal of such Commissioner or Commissioners to act, by Writing under their Hands and Seals, appoint One or more Commissioner or Commissioners, not interested in the said intended Inclosure, instead of each and every Commissioner or Commissioners so dying or refusing to act as aforesaid; and every such Commissioner or Commissioners, so to be appointed, shall have the like Power and Authority, by virtue of this Act, as the Commissioner and Commissioners, in whose Place or Places he or they shall succeed was or were vested with: Provided that Notice be given in the Parish Church of *Sbenley* aforesaid, of the Time and Place of chusing such Commissioner or Commissioners, at least Ten Days before every such Meeting; which said Writing shall, within Six Months next after the Execution thereof, be inrolled with the Clerk of the Peace of the said County of *Bucks*; and a true Copy thereof shall be admitted and allowed in all Courts whatsoever as legal Evidence.

and to chuse new Commissioners in the room of those who shall die or refuse to act.

And whereas it is requisite that some convenient Time should be fixed for all Persons intitled to the said Inclosures to accept of their Allotments and Shares, **Be it therefore further Enacted**, That all and every Person or Persons so intitled shall and they are hereby required to accept his, her, and their respective Allotments and

Allotments to be accepted within a certain Time.

Shares; within the Space of Six Calendar Months next after the Execution of the said Award or Instrument; and Notice in Writing affixed on the Door of the said Parish Church for that Purpose, signed by the said Commissioners, or any Three or more of them: And in case any Person shall neglect or refuse to accept his or her Share or Allotment within the Time before mentioned, such Person so neglecting or refusing shall be totally excluded from having or receiving any Benefit or Advantage by this present Act, and also from any Estate or Interest, or Right of Common whatsoever, of, in, or to the Lands and Grounds so assigned or allotted to any other Person or Persons by virtue of or under this Act.

Ac. may ac-
cept for Per-
sons incap-
able.

Provided always, and be it further Enacted, That the Guardians, Husbands, Committees, Trustees, or Attornies of any Person or Persons, being Minors, under Coverture, beyond the Seas, or otherwise incapable by Law to accept such Allotments so to be made as aforesaid, shall be and are hereby enabled and required to accept thereof for the Use of such Person or Persons so incapacitated as aforesaid; and also that any Person or Persons, intitled to any Allotment as Tenant or Tenants for Life or Lives, shall be and is and are hereby enabled to take and accept of such Allotment; and also that any Person or Persons, intitled to any Allotment in Remainder or Expectancy, upon a precedent particular Estate, upon Neglect or Refusal of any Tenant or Tenants in Possession, or any Person intitled to such precedent particular Estate, shall be and is and are hereby respectively enabled to accept of such Allotment in lieu of and instead of any such Tenant or Person so intitled, and neglecting or refusing as aforesaid; and every such Acceptance respectively shall be, and is hereby declared to be, as valid and effectual as if the Person or Persons, to whom the same shall be made respectively, were capable of acting for themselves, or had not refused or neglected as aforesaid; any thing herein contained to the contrary notwithstanding.

Provided also, That the Non-claim or Non-acceptance of any Guardian, Husband, Committee, Trustee, or Attorney, shall not exclude or prejudice the Claim of any Infant, Feme-covert, or any other Person under such Disability or Incapacity as aforesaid, who shall claim and accept within Twelve Calendar Months after such Disability or Incapacity shall be removed, or of any Person or Persons intitled as Heir or in Remainder after the Death of any Person dying under such Disability or Incapacity, who shall claim and accept within Twelve Calendar Months after his, her, or their Right, Title, or Interest, shall have descended, vested, or accrued.

And

And be it further Enacted, That the Charges and Expences incident to and attending the procuring and passing this Act, and of surveying, measuring, dividing, allotting, and setting out the said Fields and Grounds, and of the preparing, making, executing, and inrolling the said Award or Instrument, and all other the Charges and Expences of the said Commissioners, and other necessary Expences attending the Execution of this Act shall be borne or defrayed by all the Proprietors and Owners of Lands in the said Fields and Grounds, so appointed to be inclosed as aforesaid (other than and except the said *Primatt Knapp*, and his Successors, Rectors as aforesaid, in respect of the Plots of Land or Ground to be allotted to him or them, in lieu of Tythes as aforesaid), by an equal Pound-rate, according to the Number and Value of Acres each Person shall have allotted to him, her, or them by virtue of this Act, to be settled, adjusted, and determined by the said Commissioners, or any Three or more of them, and to be paid by such Person or Persons, and at such Time or Times, as the said Commissioners, or any Three or more of them, shall for that Purpose nominate or appoint: And in case of Nonpayment thereof, or any Part thereof, the said Commissioners, or any Three or more of them, shall and may, by Warrant under their Hands and Seals, cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons respectively refusing or neglecting to make such Payment.

How the
Charges of
the Act, &c.
are to be paid.

And whereas several of the Owners and Proprietors of Lands and Grounds lying in the open and common Fields aforesaid, so intended and directed to be divided and inclosed as aforesaid, may have Occasion to borrow Money to raise and defray their respective Shares and Proportions of the Charges and Expences incident to and attending such Inclosure and Division, and the obtaining and passing this Act, and cannot, by reason of some Settlement or Settlements already made of the said Grounds, Lands, and Premises, or some Part thereof, or other Impediments or Incumbrances respectively affecting the same, make an effectual Security thereon for the Money so to be to them respectively advanced and lent for that Purpose, **Be it therefore further Enacted,** That it shall and may be lawful to and for any of the Owners and Proprietors, for the Time being, of Lands and Grounds lying in the said open and common Fields or common Grounds so intended to be inclosed respectively, his, her, and their Trustee and Trustees, Guardian or Guardians, respectively, to charge the Lands and Grounds, which shall be assigned and allotted to them respectively by virtue and in pursuance of this Act, with any Sum or Sums of Money, not exceeding Three Pounds for every Acre of the Lands and Grounds so to be allotted to them respectively, to be paid to such Person or Persons as the said Commissioners, or any Three

Proprietors
may charge
the Lands
with Money
borrowed to
inclose.

or

or more of them, shall for that Purpose respectively nominate and appoint, in order to be applied and disposed of for the Purposes afore-mentioned; and for securing the Re-payment of the said Sum or Sums of Money, with Interest, to grant, mortgage, lease, or demise, the Lands and Grounds so to be charged unto such Person or Persons as shall advance and lend the same respectively, for any Term or Number of Years, so as such Grant or Demise be made with a Proviso or Condition to cease and be void, or with an express Trust to be surrendered, when such Sum or Sums of Money thereby to be secured, with the Interest thereof, shall be fully satisfied and paid.

And be it further Enacted, That every such Grant, Mortgage, Lease, or Demise, of the said Grounds, Lands, and Premises, or any Part or Parts thereof, so to be made in pursuance of this Act, shall be good, valid, and effectual in the Law, for the Purposes thereby intended, notwithstanding any Settlement, Will, Trust, Use, Remainder, Limitation, or other Incumbrance, of or concerning the same Grounds, Lands, and Premises, or any Part or Parts thereof, then in being or capable of taking Effect to the contrary.

X Leases at rack
Rent to be
void, the Les-
sors making
Satisfaction to
the Lessees.

And be it further Enacted, That all and every Lease and Leases, or Agreement or Agreements, for leasing or holding any Lands or Grounds lying and being in the said common Fields or common Grounds hereby intended to be inclosed, at the improved or rack Rent, for any Term or Terms of Years which shall be subsisting at the time of the Division and Allotment thereof pursuant to this Act, shall, immediately upon the making such Allotments and Divisions of the said Lands and Grounds, and the Execution of such Award or Instrument as aforesaid, or so soon thereafter as the said Commissioners, or any Three or more of them, shall therein or thereby direct or appoint, cease, determine, and be void; the several Owners and Proprietors of the Lands and Hereditaments comprised in such Leases or Agreements respectively, making such Satisfaction to such their respective Lessee or Lessees, Tenant or Tenants, as the said Commissioners, or any Three or more of them, shall ascertain as reasonable to be paid to such Lessee or Lessees, Tenant or Tenants, on Account thereof, or as an Equivalent for the same.

X Inclosures
may be ex-
changed.

And whereas it may be for the Benefit and Convenience of several of the Parties interested in the said intended Inclosures that some of the Lands, so to be assigned and allotted to them respectively by virtue of this Act, should be exchanged for other Lands and Grounds, lying and being in the Parish of *Shenley Brookend* aforesaid, **Be it therefore further Enacted,** That it shall and may be lawful to and for any of the said Parties, at any time within Three Calendar

And he it further Enacted, That nothing in this Act contained shall prejudice, lessen, or defeat the Right, Title, or Interest of any Lord or Lords of the Manor or Lordship, or reputed Manor or Lordship, of *Shenley Brookend* afore said, within the Jurisdiction and Limits whereof the said open and common Fields, hereby directed to be Inclosed, are lying and being, or of their Heirs or Assigns; of, in, or to the Seignior, Royalties, Rights, and Services, incident or belonging to the said Manor or Lordship, or reputed Manor or Lordship; but that such Lord or Lords for the Time being, and all and every other Person or Persons claiming by, from, or under, or in Trust for him or them, shall and may, at all Times for ever hereafter, hold and enjoy all Rents, Services, Rights, Royalties, Courts, Perquisites and Profits of Courts, and all other Privileges and Jurisdictions, to the said Manor or Lordship, or reputed Manor or Lordship, or to the Lord or Lords thereof, or to any claiming under him or them, incident, appendant, belonging, or appertaining (other than and except such Common of Pasture, or other Common Rights, as can or may be claimed, or belonging to him or them, as Owner or Owners of Lands or Tenements in the said Manor or Parish), in as full, ample, and beneficial Manner, to all Intents and Purposes, as he or they ought or might have held and enjoyed the same before the passing this Act, or in case the same had never been made.

Saving always to the KING's most Excellent MAJESTY, his General Heirs and Successors, and to all and every other Person and Persons, Bodies Politick and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators (Other than and except the several Persons, to whom any Allotment or Allotments of Lands shall be made by virtue of this Act, his, her, and their Heirs, Executors, Administrators, and Assigns): All such Estate, Right, Title, and Interest, which they, every, or any of them had and enjoyed, of, in, to, or out of the said open and common Fields, so intended and appointed to be inclosed as aforesaid, before the passing this Act, or could or might have had and enjoyed, in case the same had not been made.

